REMARKS

This Revised Amendment, which is being filed in response to the Office Action, dated June 4, 2003 addresses the rejections set forth in the Office Action dated December 27, 2002. Applicant's reference to the "Office Action" refers to the December 27, 2002 action. Claims 1-49 were originally filed with the application on June 2, 2000. Claims 1-49 are currently pending. Claims 1, 8, 15, 20, 22, 27, 30, 37, 41, and 45 are independent.

Rejection Under 35 USC § 102(e)

In the Office Action, claims 1-17 and 19-36 were rejected under 35 U.S.C. §102(e) as being anticipated by U.S. Patent No. 6,141,010 to Hoyle et al. ("Hoyle"). Applicant respectfully submits that in forming this rejection the Examiner has improperly combined detached concepts described in Hoyle as applied to the process of claim 1 of the present application.

Generally speaking, one benefit among many of the method and system of claim 1 is that a software application can be customized according to user preferences without the need to hard code the customization options into the software application itself. For example, another benefit among many of the method and system of claim 1 is that the software application can be upgraded without overwriting any of the actual programming code of the application. Such a method and system has numerous advantageous that have been set forth in the present application.

In rejecting the claims of the present application over Hoyle, the Examiner has improperly pulled portions of two discrete and unrelated concepts from Hoyle and patched those portions together in piecemeal fashion in an attempt to arrive at the claimed method and system. Specifically, Hoyle describes two processes for performing two wholly separate acts. First,

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Hoyle describes a method of targeting advertising to its users. This method includes obtaining user preferences and recording usage of a software application, namely which web sites a user links to, to target advertising. The other, unrelated method, involves a method of updating a software application through inclusion of a "builder module" that periodically, and without user input, compares the version numbers of the modules on the user's computer with modules stored at the server. If newer modules are stored at the server, the new modules are downloaded and the older modules are overwritten. As discussed in detail below, neither of these processes described in Hoyle discloses the claimed method and system, and the Examiner has improperly combined selected steps of the processes in an attempt to arrive at the claimed invention. Applicant respectfully submits that this use of a reference is improper.

1.   Rejection of Independent Claim 1

The Examiner asserts that Hoyle discloses each and every element of independent claim 1 of the present application. In particular, the Examiner contends that arbitrarily selected steps of Hoyle's method of maintaining/updating modules of a software application combined with arbitrarily selected steps of a wholly disparate method for targeting advertising discloses the elements of independent claim 1.

Applicant has amended claim 1 to more particularly point out that a method of managing resources of a multi-user software application comprises "generating a request to change the software application in response to a change in a user preference" and transmitting the request to a server system from the client computer. The "request" referred to in step (a) of claim 1, as amended, is a message transmitted to the server system indicating a change in user preference.

Applicant respectfully submits that this method step is not disclosed by Hoyle. Hoyle is directed to a system for targeting advertising to a user of a computer through an application provided with access to information resources via the Internet. Hoyle also describes a system and method for maintaining and updating the application. First, Hoyle does not disclose the step of "generating a request to change the software application in response to a change in a user preference," as set forth in claim 1, as amended. In fact, Hoyle operates in the exact opposite manner, as is evidenced by the following description from Hoyle:

> This upgrading process is implemented automatically by the client software application without requiring any user input or initiation of the process.

See Hoyle, col. 14, lines 6-8.

> This update capability can be programmed into the GUI module 12 (or, possibly, into ADM module 14) so that it periodically checks with server 22 for an updated ADM module 14 and, if found, downloads the new program and installs it as necessary. This can be done automatically without the client software application requiring any user input, if desired.

See Hoyle, col. 7, lines 52-58. In contrast, the request of claim 1 is generated in response to an indication by the resource manager that a change to the application is needed. As such, in contrast to Hoyle, the generation of the request is triggered by some action of the user.

The Examiner further contends that Hoyle discloses steps (a) and (b) (as per the amendment now steps (b) and (c)) of claim 1. The Examiner points to two sections of Hoyle for this alleged disclosure. First, the Examiner cites col. 4, lines 8-9 Hoyle in which the term server is defined as "a computer on a network that answers requests for information." Applicant does not dispute the accuracy of this general definition, but rather notes that use of the term "request" does not disclose the specific request of claim 1, as amended, which indicates a change of preference by a user, which in turn is used by the server to identify which resources are need to

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accommodate the change of preference. Thus, the general statement cited by the Examiner that a server responds to requests (i.e., any requests for information) does not disclose the generation and transmission steps of claim 1, as amended.

Moreover, the Examiner cites col. 8, lines 55-63, which generally describes obtaining demographic data about the user to determine what advertising will be provided to the user. The Examiner's citation to this aspect of Hoyle is another example of the Examiner's attempt to combine unrelated steps from two disparate methods to arrive at the claimed method. Nevertheless, no statement in Hoyle discloses the steps of generating a request, transmitting that request to the server, and receiving at the client computer a preference parameter from the server that is associated with a needed group of resources, as set forth in claim 1, as amended.

With respect to the Examiner's contention that step (b) (now step (c)) in claim 1, as amended is disclosed by Hoyle, the Examiner asserts that Hoyle discloses receiving a "blueprint" associated with a group of resources needed to accommodate the request. The Examiner cites col. 13, lines 48-63 of Hoyle for support. Contrary to the Examiner's assertion, however, Hoyle merely describes the generation by a "builder module" of the software application of a "blueprint" of module version numbers. According to Hoyle, when the application next accesses the Internet, the builder module downloads an upgraded blueprint from the ADM server, and compares the two blueprints to determine which new components it needs. Upgraded components, if available, are downloaded, existing files are overwritten and appropriate entries into the Windows Registry are made. *See* Hoyle col. 13, lines 44-66. Thus, contrary to the Examiner's suggestion, the "blueprint" of Hoyle is not associated with resources that may be

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made available to an application, but rather is associated only with updated application modules that may be downloaded to overwrite older versions of the modules.

This process of updating an application is completely different from the process of claim 1, as amended. First, the Hoyle process fails to disclose the generation in response to a change in user preference of a request indicating the change in user preference of claim 1, as amended.

Hoyle thus fails to disclose each and every step of claim 1, as amended. Accordingly, Applicant respectfully submits that claim 1 is in condition for allowance and requests that the Examiner withdraw the rejection.

2.   Rejection of Dependent Claims 2-7

In light of the amendment and arguments set forth above in connection with independent claim 1, Applicant respectfully submits that dependent claims 2-7 are also allowable as depending from an allowable base claim.

3.   Rejection of Independent Claim 8

The Examiner contends that Hoyle discloses each element of independent claim 8. In particular, the Examiner asserts that Hoyle discloses "that the group of resources is geographic region-specific (i.e., internationalizing) and the application has characteristics related to user's region of interests." Applicant traverses this rejection.

The passages of Hoyle cited by the Examiner in support of the rejection of claim 8 are inapposite. First, the section of the "Background of the Invention," at cols. 1:55-2:3, describes only common methods of Internet advertising utilizing embedded links in web pages to dedicated advertising servers to serve advertisements. The passage also makes passing reference to such advertising systems allowing geographically unlimited advertising. Thus, the section

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cited by the Examiner refers only to the ability of known advertising systems to serve different ads to different users irrespective of geographic location.

In contrast, the geographic region-specific groups of resources of claim 8, by way of non-limiting example, refer to data such as text strings to enable an alternate language to be used with the software application without having to hardcode additional language capability into the application. Thus, for instance, when an English-speaking user logs on to use the application in Japan, the log on will indicate that resources may be needed to present the GUI in English, as opposed to Japanese.

The Examiner also cites col. 10, lines 43-47 of Hoyle. This section describes permitting a user to save customization settings on a floppy disk so that the user does not have to customize the application on two computers. This method of customization described in Hoyle is entirely opposite to the process of claim 8 in that Hoyle (1) requires customization options to be hard coded into the application, and (2) requires the user to store the customization settings on an external device such as a floppy disk. The method of claim 8 avoids these requirements in Hoyle by retrieving the resources needed to accommodate the requested customization on an as needed basis. Thus, Hoyle does not disclose a method of internationalizing a software application wherein the resources necessary to process the request for the application to exhibit characteristics indicative of a desired geographic region are retrieved from a remote server system and made available to the application.

Accordingly, in light of the above and the additional arguments made in connection with claim 1, as amended, Applicant submits that claim 8 is in condition for allowance.

4.   Rejection of dependent claims 9-14

In light of the amendment and arguments set forth above in connection with independent claims 1 and 8, Applicant respectfully submits that dependent claims 9-14 are also allowable as depending from an allowable base claim.

5.   Rejection of Independent Claim 15

In rejecting independent claim 15, the Examiner makes essentially the same arguments addressed above in connection with independent claims 1 and 8. In particular, the Examiner contends that Hoyle discloses a software implemented resource manager that functions to "receive from said server system a preference parameter associated with a needed group of resources." To support this contention, the Examiner asserts that the "blueprint" of Hoyle is the same as the "preference parameter" of claim 15, and that the blueprint is associated with a needed group of resources. As discussed above in connection with claim 1, Applicant submits that the blueprint of Hoyle is not analogous to the preference parameter of claim 15.

The "blueprint" referred to in Hoyle relates to an identifier corresponding to the filename and version of software installed on a computer. *See* Hoyle, col. 9, lines 3-7. Using the "blueprint", the ADM server of Hoyle compares the versions of the software modules installed on the client computers with those modules of a latest set 48 maintained at the ADM server. If newer, the latest set 48 of modules are newer than the modules installed at the client computer, the latest set 48 are downloaded to the client computers 40 to replace and overwrite the older versions.

Nowhere in this description of the "blueprint" is it disclosed that a preference parameter, which is associated with a needed group of resources to customize a software application, is

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received from the server system to permit the software implemented resource manager to determine whether the needed group of resources is stored on the client computer, as set forth in claim 15. To the contrary, the blueprint only permits the system of Hoyle to determine whether the application itself needs to be upgraded and, according to Hoyle, overwritten by the newer modules. As discussed above, the update process of Hoyle thus operates in an entirely different manner than the customization and internationalization method and system of the present application.

Accordingly, Applicant respectfully requests that the Examiner withdraw the rejection of claim 15.

6. Rejection of dependent claims 16-17 and 19

In light of the amendment and arguments set forth above in connection with independent claims 1, 8, and 15, Applicant respectfully submits that dependent claims 16-17 and 19 are also allowable as depending from allowable base claims.

7. Rejection of Independent Claim 20

Applicant has amended claim 20 to more particularly point out a system comprising a software implemented resource manager operative on a client computer to "internationalize" a software application "in response to either a selected change in language preference of a first user or in response to a second user with a language preference different from the first user's language preference logging in to use the software application on the client computer." Applicant submits that Hoyle does not disclose the features of claim 20, as amended, and dependent claim 21, at least in light of the arguments set forth above. Accordingly, Applicant respectfully requests that the Examiner withdraw the rejection.

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8.   Rejection of Independent Claim 22

Applicant respectfully submits that claim 22 is in allowable form at least as a result of the

distinctions discussed above in connection with claims 1, 8, and 15. Notably, the Examiner

again attempts to compare the "blueprint" of Hoyle to the "unique identifier" of claim 22, which

is associated with a group of resources needed to change the toolbar interface to the client

computer. As discussed particularly in connection with claims 1 and 15, the "blueprint" cannot

be compared to the preference parameter/unique identifier of claim 22.

Accordingly, Applicant respectfully requests that the Examiner withdraw the rejection of

claim 22.

9.   Rejection of dependent claims 23-26

In light of the amendment and arguments set forth above in connection with independent

claims 1, 8, and 15, Applicant respectfully submits that dependent claims 23-26 are also

allowable as depending from allowable base claims.

10.   Rejection of Independent Claim 27

Claim 27 has been amended to further recite that upon a change by a user of a

customizable option, the resources needed by the browser application to process the change are

retrieved from the server system, and the customized browser interface is generated using the

retrieved resources. Hoyle does not disclose the method of claim 27, as amended, at least in light

of the distinctions discussed above in connection with claims 1, 8, 15, and 22.

Applicant thus respectfully requests that the Examiner withdraw the rejection of claim

27, as amended.

11.   Rejection of Dependent Claims 28-29

In light of the amendment and arguments set forth above in connection with independent claims 1, 8, 15, and 22, Applicant respectfully submits that dependent claims 28-29 are also allowable as depending from allowable base claims.

12.   Rejection of Independent Claim 30

Applicant respectfully submits that claim 30 is in allowable form at least as a result of the distinctions discussed above in connection with claims 1, 8, 15, and 22. Moreover, Hoyle fails to disclose a method of updating/modifying a software application wherein the software application can be modified or updated without the need to restart the software application. In contrast, Hoyle teaches downloading newer application modules to the client system and overwriting the older modules. In such a system, it would be necessary to restart the application in order to take advantage of the newer modules features. Thus, Hoyle does not disclose the method of claim 30, and Applicant requests that the rejection be withdrawn.

Rejections under 35 U.S.C. § 103(a)

In the Office Action, the Examiner rejected claims 18 and 37-49 under 35 U.S.C. § 103(a) as being unpatentable over the hypothetical combination of Hoyle in view of U.S. Patent No. 6,407,754 to Hetherington et al. (hereinafter "Hetherington").

In essence, with respect to claims 18 and 37-49, the Examiner contends that Hoyle discloses a client computer that receives a "blueprint" from a server system and obtains demographic data from the user, but fails to disclose that the preference in the blueprint is a language setting. Nevertheless, the Examiner contends that Hetherington discloses a method to produce a user interface with dynamic language/locale switching, and that it would have been

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obvious for one of ordinary skill in the art to modify the preferences listed in the blueprints of

Hoyle so as to include a language preference setting. Applicant respectfully traverses this

rejection.

Regarding the Examiner's rejection of claim 18, Applicant notes that claim 18 depends

from claim 16, which in turn depends from independent claim 15. As discussed above, in

connection with independent claim 15, Hoyle does not disclose a system for customizing the user

interface of a software application in which a server system responds to a change of a user

preference by downloading a group of resources needed to process the customization, as needed.

In rejecting claim 18, the Examiner again improperly asserts that the "blueprint" of Hoyle is akin

to the preference parameters unique resource identifies of the claims of the present invention. As

discussed above, this is not the case.

Moreover, the Examiner attempts to combine Hoyle's update process with its mention of

obtaining demographic data about a user to target advertising, which is entirely unrelated to

Hoyle's description of its method of updating the software application using the "blueprint."

Even if this combination were proper, Hoyle does not disclose triggering the downloading of

user preference resources in response to a change in user preferences. The "blueprint" simply

has nothing to do with the targeted advertising of Hoyle. Thus, because by definition dependent

claim 18 includes the limitations of independent claim 15 and dependent claim 16, and because

Hoyle as a base reference fails to disclose the features suggested by the Examiner, the

Examiner's rejection of claim 18 is improper.

In addition to the foregoing, there is no teaching or suggestion in the references to make

the hypothetical combination proposed by the Examiner in the Office Action, and thus, the

combination of Hoyle and Hetherington is improper. Whereas Hoyle is primarily directed to a method of targeting advertising to users in an internet environment, Hetherington is directed to a method and system for changing the language setting properties of an application using system messages to alter the language and locale property settings for the user interface of the application. In the Office Action, the Examiner presents no motivation or suggestion in the references themselves that persons of skilled in the art would be motivated to combine the references as suggested by the Examiner. Instead, applicant submits that even if the hypothetical combination taught the invention as claimed (which the combination does not), the combination presented by the Examiner involves impermissible hindsight reconstruction of the invention wherein the Examiner has arbitrarily picked and chosen from various descriptions in the prior art in an attempt to arrive at the claimed invention. *See* Grain Processing Corp. v. American Maize-Products Co., 840 F.2d 902, 907 (Fed. Cir. 1988).

Thus, because Hoyle as the cited base reference does not contain the teaching suggested by the Examiner, and because the proposed hypothetical combination is improper, applicant submits that the rejection of dependent claims 18 should be withdrawn.

Independent claims 37, 41 and 45 recite similar limitations to those discussed above with respect to independent claims 1, 8, 15, and 22. As such, Hoyle, as discussed above, is improperly relied upon as a base reference to disclose the internationalization/customization method and system of the present invention as set forth in claims 37, 41, and 45. Accordingly, Applicant respectfully requests that the Examiner withdraw the rejection in light of the above arguments. Further, because claims 38-40, 42-44, and 46-48 depend from independent claims

37, 41 and 45, respectively, Applicant submits that said dependent claims are also in condition for allowance.

New Claim 49

Applicant has added new claim 49 directed to an Internet browser toolbar. The toolbar is displayed as part of an Internet browser interface and is customizable by a user as set forth in claim 19. In light of the arguments set forth above, Applicant submits that claim 49 is in allowable form.
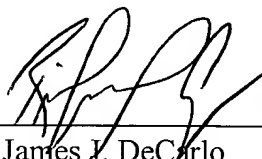
Conclusion

Applicant has considered the prior art of record, and respectfully submits that none of the references relied upon by the Examiner in rejecting the claims of the present application, considered alone or in any hypothetical combination (between and among each other or with the knowledge of a person of ordinary skill in the art), teach or suggest applicant's invention, as recited by the claims of the present application.

Early and favorable consideration of the present application in view of the amendments

to the claims and remarks provided herein is respectfully requested. If the Examiner is not in a

position to allow all claims as presently amended, the Examiner is urged to call the undersigned

attorney at 212-806-5400. Any additional fees or charges required at this time or in the future in

connection with the present application are hereby authorized to be charged to Deposit Account

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Respectfully submitted,

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VERSION WITH MARKINGS TO SHOW CHANGES

1.   (Amended) A method of managing resources [for] of a multi-user software

application deployed in a client-server system using a resource management program operative

on a client computer, the method comprising:

(a)   generating a request to change the software application in response to a

change in user preference;

(b)   transmitting to [receiving at] the server system [a request] from a client

computer the request to change the software application;

([b]c)   receiving into the client computer, from the server system, a preference

parameter associated with a group of resources needed to accommodate the request;

([c]d)   determining whether the needed group of resources is stored locally on the

client computer using the preference parameter; and

([d]e)   retrieving the needed group of resources from the server system if the

needed group of resources is not stored locally on the client computer.

2.   (Amended) The method of claim 1, further comprising:

([e]f)   passing the needed group of resources to the software application so as to

enable the application to access the group of resources.

3.   (Amended) The method of claim 2, wherein step ([e]f) comprises:

calling a function exposed by the software application; and

passing the needed group of resources to the software application as an argument.

4.   (Amended) The method of claim 2, further comprising:

([f]g)   generating a user interface on the client computer.

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5.   (Amended) The method of claim 4, wherein step ([f]g) comprises:

    linking to the group of resources;

    loading text strings and image data into memory of the client computer; and

    producing a user interface using the text strings and image data.

6.   (Amended) The method of claim 1, further comprising:

    ([e]f)   storing the needed group of resources in a memory space of the client

computer; and

    ([f]g)   passing the needed group of resources to the software application so as to

enable the application to access the group of resources.

7.   (Amended) The method of claim 6, further comprising:

    ([g]h)   generating a user interface on the client computer.

15.   (Amended) A computer system operative with a software implemented resource

manager for customizing a user interface of a software application[stored on a client computer];

the computer system comprising:

    a communication link [to] with a server system; and

    a processor [of the client computer] operative with [a] the software implemented

resource manager to:

        receive from said server system a preference parameter associated with a

needed group of resources for customizing the user interface of the software application

according to a change of user preference;

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determine <u>upon receipt of the preference parameter</u> whether the needed group of resources associated with the preference parameter is stored on the [client] computer system; and

retrieve the needed group of resources associated with the preference parameter from the server system if the needed group of resources is not stored locally on the client computer so that the software application is enabled to generate a user interface of the software application using the needed group of resources.

20. (Amended) A client-server system for permitting the internationalization of [one or more] a software applications, <u>the client-server system</u> comprising:

a server system having stored thereon a plurality of groups of resources, each of the plurality of groups associated with a preference <u>parameter,</u> [and] <u>wherein</u> the server system [maintaining] <u>maintains</u> a user profile database for storing [the] <u>a language</u> preference [of a] <u>for a plurality of</u> user<u>s</u>; and

a client computer interconnected [with] <u>to</u> the server system through a network, the client computer having <u>operative therein the software application and</u> [an input device for permitting the user to transmit preference indicative data to the server system and] a software implemented resource manager<u>; and</u>

<u>wherein in response to either a selected change in language preference of a first user or in response to a second user with a language preference different from the first user's language preference logging in to use the software application on the client computer,</u> [for receiving from] the server system [a] <u>transmits the</u> preference parameter associated with the group of resources corresponding to the <u>change in language preference to the client computer</u>

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[preference parameter], such that the <u>software implemented</u> resource manager <u>on the client</u>

<u>computer</u> can determine whether the group of resources <u>associated with the preference parameter</u>

are stored locally on the client computer.

    27.   (Amended) A method of increasing the desirability of a user accessible web site

using a browser application and a client computer, the method comprising:

    (a)   maintaining a user profile database on a server system for serving the web

site to the browser application, the user profile database including at least one customizable

option <u>for customizing a browser interface of the browser application</u>;

    (b)   permitting the user to change the customizable option; [and]

    <u>(c)</u>   <u>transmitting to the client computer the resources required by the browser</u>

<u>application to generate the customized browser interface; and</u>

    ([e]<u>d</u>)   generating a browser interface on the client computer in response to the

change in the customizable option without the need to restart the browser application.

    28.   (Amended) The method of claim 27, wherein step ([e]<u>d</u>) comprises:

    communicating from the server system to the client computer a unique identifier

associated with a group of resources needed to accommodate the change in the customizable

option;

    determining whether the group of resources associated with the unique identifier

is stored locally on the client computer;

    retrieving the group of resources associated with the unique identifier from the

server system if the group of resources is not stored locally on the client computer; and

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passing the group of resources to the browser application so as to enable the browser application to access the group of resources.

--49. (New) An Internet browser toolbar displayed as part of an Internet browser interface; the browser comprising:

a graphical interface displayable as part of an Internet browser interface,

the graphical interface being generated through operation of a software application;

the software application utilizing a first group of resources to generate the graphical interface according to a user preference; and

a software implemented resource manager operative with the software application to retrieve and make available to the software application a second group of resources in response to a software implemented resource manager change in the user preference, and wherein the second group of resources is retrieved from a remote server system if the software implemented resource manager determines that the second group of resources are not locally stored.--

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